

FISCAL NOTE
SB 2973 - HB 3465

March 3, 2006

SUMMARY OF BILL: Revises the provisions of Chapter 504 of the Public Acts of 2005 relative to sentencing for first-time DUI offenders as follows:

- requires an offender to pay the sheriff's office administering the litter pick-up program to which the offender was sentenced an amount equivalent to the jailer's fee for each day the offender participates in the program. If an offender was incapable of performing litter pick-up due to a physical limitation, the court would have the right to remove the offender from participating in the program. Offenders would be responsible for their own transportation to the work site.
- authorizes such offenders to operate a motor vehicle to get to and from litter pick-up if the offender has received a restricted license.
- authorizes the sheriff to provide a schedule of litter pick-up times and the offender would be required to schedule pick-up at times provided by the sheriff. Tennessee residents would be required to complete the litter pick-up portion of their sentence in their county of residence while out-of-state offenders would be required to serve in the county where the violation occurred.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Revenues – Exceeds \$650,000

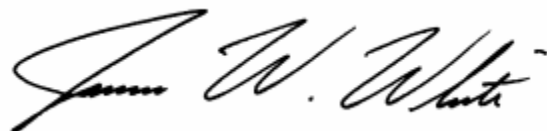
Local Govt. Expenditures – Cost Avoidance – Less than \$1,000,000

Assumptions:

- Approximately 13,000 first-time DUIs annually statewide.
- An average payment of \$126 (3 days X \$42 per day) paid by offenders for jailer's fees required by the bill.
- Some offenders will not have the ability to pay and some will be relieved by the court from litter duty upon proof of a physical limitation.
- At least 80% or 10,400 will perform litter pick-up.
- At least 50% of fees incurred by offenders will be collected (10,400 X \$126 X 50% = \$655,200)
- To date, local governments have not implemented the provisions of Chapter 504 of the Public Acts of 2005.
- The estimated cost of Chapter 504 of the Public Acts of 2005 was a net increase in local government expenditures of less than \$1,000,000.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director